

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

SCHNUCK MARKETS, INC.,)
Plaintiff,)
v.)
FIRST DATA MERCHANT DATA) Case No. 4:13CV2226 JAR
SERVICES CORP., and)
CITICORP PAYMENT SERVICES, INC.)
Defendants.)

CONSENT MOTION FOR EXTENSION OF TIME TO FILE
PLAINTIFF/COUNTERCLAIM DEFENDANT'S MEMORANDUM IN
OPPOSITION TO DEFENDANT/COUNTERCLAIM PLAINTIFFS'
MOTION FOR JUDGMENT ON THE PLEADINGS

COMES NOW Plaintiff/Counterclaim Defendant Schnucks Markets, Inc. ("Plaintiff"), by and through its undersigned counsel, and for its Consent Motion for Extension of Time to file its Memorandum in Opposition to Defendants/Counterclaim Plaintiffs First Data Merchant Services Corp. and Citicorp Payment Services, Inc.'s (collectively, "Defendants") Motion for Judgment on the Pleadings, respectfully states as follows:

1. Plaintiff's response to Defendants' Motion for Judgment on the Pleadings is due on or before May 29, 2014.
2. Plaintiff respectfully requests a 10-day extension of time – until June 9, 2014 – in which to file its Memorandum in Opposition to Defendants' Motion for Judgment on the Pleadings.
3. Counsel for Defendants has consented to this request.

4. Granting Plaintiff's request for an extension will not prejudice the Defendants and will not meaningfully delay the progress of this litigation.

WHEREFORE, Plaintiff respectfully requests a 10-day extension of time in which to file their Memorandum in Opposition to Defendants' Motion for Judgment on the Pleadings. A proposed order is attached.

Dated: May 23, 2014

Respectfully submitted,

By: /s/ Kevin F. Hormuth
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Attorneys for Plaintiff Schnuck Markets, Inc.

CERTIFICATE OF SERVICE

I certify that on the 23rd of May, 2014, the foregoing *Consent Motion for Extension of Time* was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

By: _____ /s/ *Kevin F. Hormuth*

Kevin F. Hormuth